



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,074	07/27/2001	Bernerd R. McKibben	IR105435	9070

22863 7590 01/11/2007
MOTOROLA, INC.
1303 EAST ALGONQUIN ROAD
1L01/3RD
SCHAUMBURG, IL 60196

EXAMINER

BUI, BING Q

ART UNIT	PAPER NUMBER
----------	--------------

2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/917,074	Applicant(s) MCKIBBEN ET AL.	
	Examiner Bing Q. Bui	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are pending in the application for examination, wherein claims 1, 10 and 17 being independent.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by McCalmont (US Pat No. 6,215,865).

Regarding claim 1, McCalmont teaches in a telecommunication network, a method for user initiated feature transfer, the method comprising the steps of:

providing a first call agent including a first user (see col. 2, ln 66 – col. 3, ln 59);

providing a second call agent including a second user (see col. 2, ln 66 – col. 3, ln 59);

receiving by a network a request from a first user for a new feature to be transferred from the first user to a second user (see col. 2, ln 66 – col. 3, ln 59);

activating by the network the new feature for the second user through the second call agent (see col. 2, ln 66 – col. 3, ln 59); and

accepting by the second user through the second call agent the new feature (see col. 2, ln 66 – col. 3, ln 59).

Regarding claim 2, McCalmont teaches in the telecommunication network, a method for user initiated feature transfer as claimed in claim 1, wherein there is further included the step of establishing a call between the first and second users with the new feature (see col. 2, ln 66 – col. 3, ln 59).

Regarding claim 3, McCalmont teaches in the telecommunication network, a method for user initiated feature transfer as claimed in claim 1, wherein there is further included the step of generating by the second call agent a billing report (see col. 2, ln 66 – col. 3, ln 59).

Regarding claim 4, McCalmont teaches in the telecommunication network, a method for user initiated feature transfer as claimed in claim 3, wherein there is further included the step of transmitting the billing report by the second call agent to the network (see col. 2, ln 66 – col. 3, ln 59).

Regarding claim 5, McCalmont teaches in the telecommunication network, a method for user initiated feature transfer as claimed in claim 3, wherein there is further included the step of transmitting the billing report by the network to the first call agent (see col. 2, ln 66 – col. 3, ln 59).

Regarding claim 6, McCalmont teaches in the telecommunication network, a method for user initiated feature transfer as claimed in claim 1, wherein the step of receiving by a network a request for a new feature includes the step of receiving by the network a request for transferring a user profile from the first user to the second user (see col. 2, ln 66 – col. 3, ln 59).

Regarding claim 7, McCalmont teaches in the telecommunication network, a method for user initiated feature transfer as claimed in claim 1, wherein there is further included the step of requesting by the first user the new feature for the second user for a predetermined period of time (see col. 2, ln 66 – col. 3, ln 59).

Regarding claim 8, McCalmont teaches in the telecommunication network, a method for user initiated feature transfer as claimed in claim 1, wherein there is further included the step of requesting by the first user the new feature for the second user for a particular communications session or call (see col. 2, ln 66 – col. 3, ln 59).

Regarding claim 9, McCalmont teaches in the telecommunication network, a method for user initiated feature transfer as claimed in claim 1, wherein there is further included the step of replicating a plurality of features of the first user for use by the second user (see col. 2, ln 66 – col. 3, ln 59).

As to claims 10-20, they are rejected for the same reasons set forth to rejecting claims 1- 9 as referred to (see col. 2, ln 66 – col. 3, ln 59).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in general:

U.S. Pat. No. 5,432,845

U.S. Pat. No. 5,590,187

U.S. Pat. No. 5,796,812

U.S. Pat. No. 5,937,051

U.S. Pat. No. 6,038,293

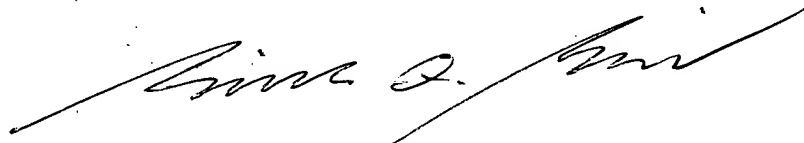
Art Unit: 2614

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui, Tel. No. (571) 272-7482. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 and for formal communications intended for entry (please label the response ☐EXPEDITED PROCEDURE☐) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

06 Jan 2007



BING Q. BUI
PRIMARY EXAMINER